

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

DEMARCUS KENARD JOE, §  
TDCJ No. 01047716, §  
§  
Plaintiff, §  
§  
v. § Civil Action No. 7:19-cv-00092-M-BP  
§  
TRACI WHITE, *et al.*, §  
§  
§  
Defendants. §

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge for plain error, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

IT IS THEREFORE ORDERED that this case is **DISMISSED** as barred by the three strikes provision of 28 U.S.C. § 1915(g). *See Adepegba v. Hammons*, 103 F.3d 383, 388 (5th Cir. 1996). This dismissal is without prejudice to Plaintiff's right to reopen the case if he pays the \$400.00 filing and administrative fees and files a motion to reopen within thirty days of the date of this Order.

**SIGNED** this 9th day of October, 2019.

  
BARBARA M. G. LYNN  
CHIEF JUDGE